IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION No. 19406 of 2004

Between:

Jyotula Prem Chand, S/o J.G.S.Rao,
Student of M.V.S.R.Engineering College,
R/o H.No.6-3-251/3, Erramanzil Colony,
Hyderabad. ..... PETITIONER

AND

Osmania University represented by its Registrar,
Hyderabad

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus declaring the action of the respondent in not permitting the petitioner to attend the fourth year first semester classes of B.E.(Civil) and appearing for the B.E.(Civil) fourth year first semester examinations and complete the course with his Hall Ticket No.05-99-0014 as illegal, unconstitutional and violative of Article 14,16 and 21 of the Constitution of India and consequently direct the respondent to permit the petitioner to attend the fourth year first semester classes of B.E.(Civil) course and appear for the BE.(Civil) fourth year first semester examinations.

Counsel for the Petitioner : Mr.K.RAMAKANTH REDDY

Counsel for Respondent : Mr.DEEPAK BHATTACHARJEE

The Court at the admission stage, made the following :

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ORDER:

Earlier, the matter underwent three adjournments and on fourth time i.e. on 3.11.2004 at the request of the learned counsel for petitioner, the matter was adjourned making it clear that no further adjournments will be granted, but in spite of the same, today also, the learned counsel seeks for adjournment. Refused.

Heard the learned Standing Counsel for Respondent-University.

The petitioner who got admission in B.E. (Civil)in M.V.S.R. Engineering College, filed the present writ petition seeking writ of mandamus permitting him to attend the fourth year first semester classes of B.E. (Civil) and for appearing fourth year first semester examinations. In the additional affidavit filed by the petitioner, it is stated that out of 44 subjects, petitioner has completed 35 subjects and is having (9) backlogs and therefore he is eligible to appear for B.E. (Civil) fourth year first semester examinations.

As per rules issued for promotion of students from III year to IV year, a candidate necessarily has to clear more than 50% of the backlogs in III year. Admittedly, the petitioner is having a total of (9) backlog papers at the end of B.E. III year II Semester as against (8) papers permissible under the rules. In view of the same, petitioner is not eligible for promotion to IV year first semester nor is entitled to appear for the first semester examination de hors the rules.

The writ petition is, therefore dismissed. No costs.

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A.GOPAL REDDY, J

Date: 10.11.2004

DA

To

1. The Registrar, Osmania University, Hyderabad

2. Two spare copies.